



Order Filed on June 13, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:

**RUDOLF H. HENDEL and  
CATHERINE G. LIN-HENDEL,**

Debtors.

Chapter 11

Case No.: 21-18847

Hearing Dates: May 3, 2022

Judge: John K. Sherwood

**ORDER COMPELLING SECURED CREDITOR TO PROVIDE PAYOFF STATEMENT**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**

**DATED: June 13, 2022**

A handwritten signature in dark ink, appearing to read "J K Sherwood", written over a horizontal line.

Honorable John K. Sherwood  
United States Bankruptcy Court

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Debtor: Rudolf H. Hendel and Catherine G. Lin-Hendel

Case No.: 21-18847

Caption of Order: **ORDER COMPELLING SECURED CREDITOR TO PROVIDE PAYOFF STATEMENT**

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**WHEREAS:**

- A. Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2014-2 (the "Wilmington Trust") has a mortgage on property owned by Rudolf H. Hendel and Catherine G. Lin-Hendel (the "Debtors") at 26 Ridge Road, Summit, New Jersey 07901 (the "Property"). The mortgage secures a note in the original amount of \$1,500,000. The servicer for this mortgage loan is Fay Servicing, LLC ("Fay Servicing").
- B. MEB Loan Trust IV ("MEB") also has a mortgage on the Property as security for a loan to the Debtors in the original amount of \$500,000. The servicer for this mortgage loan is Select Portfolio Services, Inc. ("SPS").
- C. The Debtors filed a motion seeking entry of an order compelling Fay, on behalf of Wilmington Trust, and SPS, on behalf of MEB, to issue an honest and fair payoff quotes to the Debtors regarding their mortgage loans (the "Motion") (ECF No. 52).
- D. The Motion was served on all parties required to receive notice.
- E. The Court considered Debtors' papers in support of their Motion [ECF Nos. 52, 55, 57, 59, 60, and 65], the secured creditors' oppositions [ECF Nos. 56 and 62], and the arguments of the parties and counsel at the hearing on the Motion on May 3, 2022.
- F. Based on its review of various documents that were filed in this case, as set forth on the record of the hearing on May 3, 2022, the Court concludes that there is good cause for granting the Motion in part.

**IT IS ORDERED:**

- 1. Motion is granted in part as set forth on the record.
- 2. Wilmington Trust, by and through Fay Servicing, shall file supplemental papers with a detailed payoff statement (post-petition charges and/or fees, etc., shall be individually itemized rather than provided in a lump sum amount) of the amount due from Debtors on its mortgage loan by May 17, 2022.
- 3. MEB, by through SPS, shall file supplemental papers with a detailed payoff statement (post-petition charges and/or fees shall be individually itemized rather than provided in a lump sum amount) of the amount due from Debtors on its mortgage loan by May 17, 2022.
- 4. Debtors may file a response to each of the creditors' supplemental papers on or before May 27, 2022 with specific objections to the payoff statements.

In re:  
Rudolf H. Hendel  
Catherine G. Lin-Hendel  
Debtors

Case No. 21-18847-JKS  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Jun 13, 2022

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 15, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Rudolf H. Hendel, Catherine G. Lin-Hendel, 26 Ridge Rd, Summit, NJ 07901-2952

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 15, 2022

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 13, 2022 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Bank of America N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Douglas J. McDonough	on behalf of Creditor MEB Loan Trust IV dmcdonough@flwlaw.com
Jonathan C. Schwalb	on behalf of Creditor Fay Servicing LLC as servicer for Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2014-2 bankruptcy@friedmanvartolo.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4